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SUBJECT Response to Non-Compliant Brief (09/981,878)

Number of Pages 41

Date 2/3/2006

MESSAGE

This fax communication contains:

1. one copy of a Fax Transmittal Form; and
2. three copies of a Substitute Appeal Brief to replace Non-Compliant Brief previously filed.

Volel

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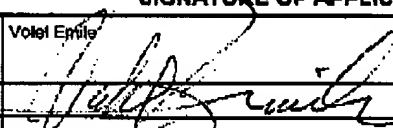
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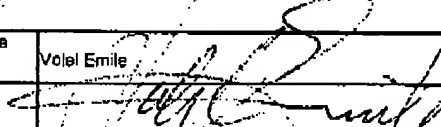
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/981,878
	Filing Date	10/18/2001
	First Named Inventor	Genty et al.
	Art Unit	2173
	Examiner Name	Dennis G. Benshock
Total Number of Pages in This Submission	Attorney Docket Number	AUS920010860US1

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Volel Emile
Signature	
Date	02/03/2006

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Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
Genty et al. :
Serial No: 09/981,878 : Before the Examiner:
 : Dennis G. Bonshock
Filed: 10/18/2001 : Group Art Unit: 2173
 :
Title: APPARATUS AND METHOD : Confirmation No.: 7330
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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the NOTICE OF NON-COMPLIANT APPEAL
BRIEF of January 11, 2006, please find below a substitute
Appeal Brief.

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Appl. No. 09/981,878
Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

BRIEF FOR APPLICANTS - APPELLANTS

(I)

Real Party in Interest

The real party in interest is International Business Machines Corporation (IBM), the assignee.

(II)

Related Appeals and Interferences

There are no other appeals or interferences known to appellants, appellants' representative or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(III)

Status of Claims

Claims 1, 4 - 6, 9 - 11, 14 - 16 and 19 - 29 have been finally rejected in an Office Action dated June 01, 2005. In that Office Action, the Examiner objected to the claims because the "W" in the word "Web" was sometimes capitalized and at times not. In a telephone conversation on August 02, 2005, the Examiner has agreed to enter an Examiner's Amendment in which the word "Web" will be written with a capital "W" in all the claims to overcome the objection. The Examiner's Amendment will be entered in the Examiner's Reply Brief. This appeal involves all the rejected claims.

(IV)

Status of Amendments

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No amendment was filed subsequent to the Final Rejection.

(V)

Summary of Claimed Subject Matter

The present invention provides a method, system and apparatus for accessing bookmarked Web pages without opening a bookmark folder (see page 9, lines 20 - 23 as well as Title on page 1). The invention uses an icon in a browser to access the bookmarked Web pages (see Fig. 8). Specifically, when a Web page is being bookmarked, it can be chosen to be part of a route or be part of a string of bookmarks to be successively accessed (see page 11, lines 8 - 18 and Fig. 8). Provided there is an existing route (see Figs. 9 and 10), when the browser is first instantiated, the icon in the browser will point directly to the first bookmark Web page in the route (see page 11, lines 19 - 27, page 12, lines 3 - 6). Therefore, if the user clicks on the icon, the first bookmarked Web page in the route will be accessed without the bookmark folder having been opened.

(VI)

Grounds of Rejection to be Reviewed on Appeal

Whether Claims 1, 4 - 6, 9 - 11, 14 - 16 and 19 - 29 were properly rejected under 102(e) as being anticipated by Bauersfeld et al.

(VII)

Argument

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Reply to Office Action of 01/11/2006

In considering a Section 102 rejection, all the elements of the claimed invention must be disclosed in a single item of prior art in the form literally defined in the claim. *Jamesbury Corp. v. Lilton Indus. Products*, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985); *Atlas Powder Co. v. Dupont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984); *American Hospital Supply v. Travenol Labs.*, 745 F.2d 1, 223 USPQ 577 (Fed. Cir. 1984).

Bauersfeld et al. purport to teach a session navigation and recording system for generating user defined paths. In accordance with the purported teachings of Bauersfeld et al., as a user navigates through the Internet, the user may elect to have the Web pages that are being accessed bookmarked for later retrieval. These bookmarked Web pages are stored in a session file folder. Generally, a default session file folder, having for name the current date, is used for storing the bookmarked Web pages. The user may, at any time, change the name of the default session file folder to any other name. In any case, when the user instantiates the browser for the first time in a day, the default session file folder will be empty. It will not start to fill up until the user has started to navigate through the Internet.

After activating the browser, the user may revisit a previously stored set of bookmarked web pages. To do so, the user needs to replace the default session file folder with a session file folder into which the set of bookmarked Web pages was previously stored. The user can do so by selecting, using a pull down menu of a session tool bar, the desired session file folder. Once that is done, the

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user may access the bookmarked Web pages by asserting a BACK or a FORWARD button on the session tool bar.

Thus, Bauersfeld et al. do not teach or suggest the steps of *activating a browser for a first time in a day, wherein the browser, upon activation, has at least one icon associated with the first one of the bookmarked web pages in the sequence; and of accessing and displaying the first one of the bookmarked Web pages by asserting the icon as claimed* (see representative Claim 1). Rather, Bauersfeld et al. arguably teach that the user has to make that association by choosing a session file folder that contains a set of bookmarked Web pages or that the user has to begin to navigate through the Internet before the association occurs.

Consequently, Applicants submit that the claims in the Application are allowable. Hence, Applicants respectfully request allowance and passage to issue of the claims in the application.

Respectfully Submitted

By: 

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Attorney for Applicants
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(512) 306-7969

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Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

(VIII)

Claims Appendix

1. (Previously presented) A method of accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the method comprising the steps of:

activating a browser for a first time in a day, said browser, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence; and

asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

2. Canceled.
3. Canceled.
4. (Previously presented) The method of Claim 22 wherein the at least one icon is a next icon.
5. (Previously presented) The method of Claim 4 wherein the other icon is a previous icon.

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6. (Previously presented) A computer program product on a computer readable medium for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the computer program product comprising:

code means for activating a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence; and

code means for associating said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

7. Canceled.

8. Canceled.

9. (Previously presented) The computer program product of Claim 24 wherein the at least one icon is a next icon.

10. (Previously presented) The computer program product of Claim 9 wherein the other icon is a previous icon.

11. (Previously presented) An apparatus for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a

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Appeal Brief dated 02/03/2006
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bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the apparatus comprising:

means for activating a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence; and

means for asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

12. Canceled.

13. Canceled.

14. (Previously presented) The apparatus of Claim 26 wherein the at least one icon is a next icon.

15. (Previously presented) The apparatus of Claim 14 wherein the other icon is a previous icon.

16. (Previously presented) A computer system for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the computer system comprising:

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at least one memory device for storing code data; and

a processor for processing said code data to activate a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence, and to assert said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

17. Canceled.

18. Canceled.

19. (Previously presented) The computer system of Claim 28 wherein the at least one icon is a next icon.

20. (Previously presented) The computer system of Claim 19 wherein the other icon is a previous icon.

21. (Previously presented) The method of Claim 1 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.

22. (Previously presented) The method of Claim 21 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.

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Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

23. (Previously presented) The computer program product of Claim 6 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.
24. (Previously presented) The computer program product of Claim 23 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.
25. (Previously presented) The apparatus of Claim 11 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.
26. (Previously presented) The apparatus of Claim 25 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.
27. (Previously presented) The computer system of Claim 16 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.

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28. (Previously presented) The computer system of Claim 27 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.

29. (Previously presented) A method of bookmarking a plurality of web pages such that the plurality of the bookmarked web pages can be accessed without opening a bookmark folder in which the plurality of bookmarked web pages are stored comprising the steps of:

bookmarking the plurality of bookmarked Web pages by storing the plurality of bookmarked Web pages into the bookmark folder, the plurality of bookmarked Web pages being stored in the bookmark folder in a sequence in which the bookmarked Web pages are to be accessed;

enabling an icon in a browser to be associated with the first bookmarked Web page in the sequence;

enabling the icon upon being asserted to access and display the associated bookmarked Web page; and

allowing the icon to be asserted upon instantiation of the browser, the icon, after accessing and displaying an associated bookmarked Web page, is disassociated with the displayed bookmarked Web page and is

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associated with a next bookmarked web page in the
sequence.

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(IX)

Evidence Appendix

No evidence was submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 and 1.132 nor was there any evidence entered by the Examiner relied upon by Appellants in this appeal.

(X)

Related Proceedings Appendix

There are no decisions rendered by a court or the Board that would have a bearing on the Board's decision in the pending appeal.

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Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:	:
Genty et al.	:
	: Before the Examiner:
Serial No: 09/981,878	: Dennis G. Bonshock
	:
Filed: 10/18/2001	: Group Art Unit: 2173
	:
Title: APPARATUS AND METHOD	: Confirmation No.: 7330
OF VISITING BOOKMARKED WEB	:
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RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the NOTICE OF NON-COMPLIANT APPEAL
BRIEF of January 11, 2006, please find below a substitute
Appeal Brief.

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Page 1 of 13

Appl. No. 09/981,878
Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

BRIEF FOR APPLICANTS - APPELLANTS

(I)

Real Party In Interest

The real party in interest is International Business Machines Corporation (IBM), the assignee.

(II)

Related Appeals and Interferences

There are no other appeals or interferences known to appellants, appellants' representative or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(III)

Status of Claims

Claims 1, 4 - 6, 9 - 11, 14 - 16 and 19 - 29 have been finally rejected in an Office Action dated June 01, 2005. In that Office Action, the Examiner objected to the claims because the "W" in the word "Web" was sometimes capitalized and at times not. In a telephone conversation on August 02, 2005, the Examiner has agreed to enter an Examiner's Amendment in which the word "Web" will be written with a capital "W" in all the claims to overcome the objection. The Examiner's Amendment will be entered in the Examiner's Reply Brief. This appeal involves all the rejected claims.

(IV)

Status of Amendments

AUS920010860US1

Appl. No. 09/981,878
Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

No amendment was filed subsequent to the Final Rejection.

(V)

Summary of Claimed Subject Matter

The present invention provides a method, system and apparatus for accessing bookmarked Web pages without opening a bookmark folder (see page 9, lines 20 - 23 as well as Title on page 1). The invention uses an icon in a browser to access the bookmarked Web pages (see Fig. 8). Specifically, when a Web page is being bookmarked, it can be chosen to be part of a route or be part of a string of bookmarks to be successively accessed (see page 11, lines 8 - 18 and Fig. 8). Provided there is an existing route (see Figs. 9 and 10), when the browser is first instantiated, the icon in the browser will point directly to the first bookmark Web page in the route (see page 11, lines 19 - 27, page 12, lines 3 - 6). Therefore, if the user clicks on the icon, the first bookmarked Web page in the route will be accessed without the bookmark folder having been opened.

(VI)

Grounds of Rejection to be Reviewed on Appeal

Whether Claims 1, 4 - 6, 9 - 11, 14 - 16 and 19 - 29 were properly rejected under 102(e) as being anticipated by Bauersfeld et al.

(VII)

Argument

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Appl. No. 09/981,878
Appeal Brief dated 02/03/2006
Reply to Office Action of 01/11/2006

In considering a Section 102 rejection, all the elements of the claimed invention must be disclosed in a single item of prior art in the form literally defined in the claim. *Jamesbury Corp. v. Litton Indus. Products*, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985); *Atlas Powder Co. v. Dupont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984); *American Hospital Supply v. Travenol Labs.*, 745 F.2d 1, 223 USPQ 577 (Fed. Cir. 1984).

Bauersfeld et al. purport to teach a session navigation and recording system for generating user defined paths. In accordance with the purported teachings of Bauersfeld et al., as a user navigates through the Internet, the user may elect to have the Web pages that are being accessed bookmarked for later retrieval. These bookmarked Web pages are stored in a session file folder. Generally, a default session file folder, having for name the current date, is used for storing the bookmarked Web pages. The user may, at any time, change the name of the default session file folder to any other name. In any case, when the user instantiates the browser for the first time in a day, the default session file folder will be empty. It will not start to fill up until the user has started to navigate through the Internet.

After activating the browser, the user may revisit a previously stored set of bookmarked web pages. To do so, the user needs to replace the default session file folder with a session file folder into which the set of bookmarked Web pages was previously stored. The user can do so by selecting, using a pull down menu of a session tool bar, the desired session file folder. Once that is done, the

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user may access the bookmarked Web pages by asserting a BACK or a FORWARD button on the session tool bar.

Thus, Bauersfeld et al. do not teach or suggest the steps of *activating a browser for a first time in a day, wherein the browser, upon activation, has at least one icon associated with the first one of the bookmarked web pages in the sequence; and of accessing and displaying the first one of the bookmarked Web pages by asserting the icon as claimed* (see representative Claim 1). Rather, Bauersfeld et al. arguably teach that the user has to make that association by choosing a session file folder that contains a set of bookmarked Web pages or that the user has to begin to navigate through the Internet before the association occurs.

Consequently, Applicants submit that the claims in the Application are allowable. Hence, Applicants respectfully request allowance and passage to issue of the claims in the application.

Respectfully Submitted

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(VIII)

Claims Appendix

1. (Previously presented) A method of accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the method comprising the steps of:

activating a browser for a first time in a day, said browser, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence; and

asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

2. Canceled.
3. Canceled.
4. (Previously presented) The method of Claim 22 wherein the at least one icon is a next icon.
5. (Previously presented) The method of Claim 4 wherein the other icon is a previous icon.

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6. (Previously presented) A computer program product on a computer readable medium for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the computer program product comprising:

code means for activating a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence; and

code means for reserving said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

7. Canceled.

8. Canceled.

9. (Previously presented) The computer program product of Claim 24 wherein the at least one icon is a next icon.

10. (Previously presented) The computer program product of Claim 9 wherein the other icon is a previous icon.

11. (Previously presented) An apparatus for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a

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bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the apparatus comprising:

means for activating a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence; and

means for asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

12. Canceled.

13. Canceled.

14. (Previously presented) The apparatus of Claim 26 wherein the at least one icon is a next icon.

15. (Previously presented) The apparatus of Claim 14 wherein the other icon is a previous icon.

16. (Previously presented) A computer system for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the computer system comprising:

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at least one memory device for storing code data; and

a processor for processing said code data to activate a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence, and to assert said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

17. Canceled.

18. Canceled.

19. (Previously presented) The computer system of Claim 28 wherein the at least one icon is a next icon.

20. (Previously presented) The computer system of Claim 19 wherein the other icon is a previous icon.

21. (Previously presented) The method of Claim 1 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.

22. (Previously presented) The method of Claim 21 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.

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Appl. No. 09/981,878
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23. (Previously presented) The computer program product of Claim 6 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.
24. (Previously presented) The computer program product of Claim 23 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.
25. (Previously presented) The apparatus of Claim 11 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.
26. (Previously presented) The apparatus of Claim 25 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.
27. (Previously presented) The computer system of Claim 16 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.

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28. (Previously presented) The computer system of Claim 27 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.

29. (Previously presented) A method of bookmarking a plurality of web pages such that the plurality of the bookmarked web pages can be accessed without opening a bookmark folder in which the plurality of bookmarked web pages are stored comprising the steps of:

bookmarking the plurality of bookmarked Web pages by storing the plurality of bookmarked Web pages into the bookmark folder, the plurality of bookmarked Web pages being stored in the bookmark folder in a sequence in which the bookmarked Web pages are to be accessed;

enabling an icon in a browser to be associated with the first bookmarked Web page in the sequence;

enabling the icon upon being asserted to access and display the associated bookmarked Web page; and

allowing the icon to be asserted upon instantiation of the browser, the icon, after accessing and displaying an associated bookmarked Web page, is disassociated with the displayed bookmarked Web page and is

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associated with a next bookmarked web page in the
sequence.

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(IX)

Evidence Appendix

No evidence was submitted pursuant to 37 C.F.R. §§ 1.130, 1.131 and 1.132 nor was there any evidence entered by the Examiner relied upon by Appellants in this appeal.

(X)

Related Proceedings Appendix

There are no decisions rendered by a court or the Board that would have a bearing on the Board's decision in the pending appeal.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
Genty et al. :
Serial No: 09/981,878 : Before the Examiner:
 : Dennis G. Bonshock
Filed: 10/18/2001 : Group Art Unit: 2173
 :
Title: APPARATUS AND METHOD : Confirmation No.: 7330
OF VISITING BOOKMARKED WEB :
PAGES WITHOUT OPENING A :
BOOKMARK FOLDER :

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the NOTICE OF NON-COMPLIANT APPEAL BRIEF of January 11, 2006, please find below a substantive Appeal Brief.

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BRIEF FOR APPLICANTS - APPELLANTS

(I)

Real Party in Interest

The real party in interest is International Business Machines Corporation (IBM), the assignee.

(II)

Related Appeals and Interferences

There are no other appeals or interferences known to appellants, appellants' representative or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(III)

Status of Claims

Claims 1, 4 - 6, 9 - 11, 14 - 16 and 19 - 29 have been finally rejected in an Office Action dated June 01, 2005. In that Office Action, the Examiner objected to the claims because the "W" in the word "Web" was sometimes capitalized and at times not. In a telephone conversation on August 02, 2005, the Examiner has agreed to enter an Examiner's Amendment in which the word "Web" will be written with a capital "W" in all the claims to overcome the objection. The Examiner's Amendment will be entered in the Examiner's Reply Brief. This appeal involves all the rejected claims.

(IV)

Status of Amendments

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No amendment was filed subsequent to the Final Rejection.

(V)

Summary of Claimed Subject Matter

The present invention provides a method, system and apparatus for accessing bookmarked Web pages without opening a bookmark folder (see page 9, lines 20 - 23 as well as Title on page 1). The invention uses an icon in a browser to access the bookmarked Web pages (see Fig. 8). Specifically, when a Web page is being bookmarked, it can be chosen to be part of a route or be part of a string of bookmarks to be successively accessed (see page 11, lines 8 - 18 and Fig. 8). Provided there is an existing route (see Figs. 9 and 10), when the browser is first instantiated, the icon in the browser will point directly to the first bookmark Web page in the route (see page 11, lines 19 - 27, page 12, lines 3 - 6). Therefore, if the user clicks on the icon, the first bookmarked Web page in the route will be accessed without the bookmark folder having been opened.

(VI)

Grounds of Rejection to be Reviewed on Appeal

Whether Claims 1, 4 - 6, 9 - 11, 14 - 16 and 19 - 29 were properly rejected under 102(e) as being anticipated by Bauersfeld et al.

(VII)

Argument

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In considering a Section 102 rejection, all the elements of the claimed invention must be disclosed in a single item of prior art in the form literally defined in the claim. *Jamesbury Corp. v. Litton Indus. Products*, 756 F.2d 1556, 225 USPQ 253 (Fed. Cir. 1985); *Atlas Powder Co. v. Dupont*, 750 F.2d 1569, 224 USPQ 409 (Fed. Cir. 1984); *American Hospital Supply v. Travenol Labs.*, 745 F.2d 1, 223 USPQ 577 (Fed. Cir. 1984).

Bauersfeld et al. purport to teach a session navigation and recording system for generating user defined paths. In accordance with the purported teachings of Bauersfeld et al., as a user navigates through the Internet, the user may elect to have the Web pages that are being accessed bookmarked for later retrieval. These bookmarked Web pages are stored in a session file folder. Generally, a default session file folder, having for name the current date, is used for storing the bookmarked Web pages. The user may, at any time, change the name of the default session file folder to any other name. In any case, when the user instantiates the browser for the first time in a day, the default session file folder will be empty. It will not start to fill up until the user has started to navigate through the Internet.

After activating the browser, the user may revisit a previously stored set of bookmarked web pages. To do so, the user needs to replace the default session file folder with a session file folder into which the set of bookmarked Web pages was previously stored. The user can do so by selecting, using a pull down menu of a session tool bar, the desired session file folder. Once that is done, the

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user may access the bookmarked Web pages by asserting a BACK or a FORWARD button on the session tool bar.

Thus, Bayersfeld et al. do not teach or suggest the steps of *activating a browser for a first time in a day, wherein the browser, upon activation, has at least one icon associated with the first one of the bookmarked web pages in the sequence; and of accessing and displaying the first one of the bookmarked Web pages by asserting the icon as claimed* (see representative Claim 1). Rather, Bayersfeld et al. arguably teach that the user has to make that association by choosing a session file folder that contains a set of bookmarked Web pages or that the user has to begin to navigate through the Internet before the association occurs.

Consequently, Applicants submit that the claims in the Application are allowable. Hence, Applicants respectfully request allowance and passage to issue of the claims in the application.

Respectfully Submitted

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(VIII)

Claims Appendix

1. (Previously presented) A method of accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the method comprising the steps of:

activating a browser for a first time in a day, said browser, upon activation, having at least one icon associated with the first one of said bookmarked web pages in the sequence; and

asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

2. Canceled.
3. Canceled.
4. (Previously presented) The method of Claim 22 wherein the at least one icon is a next icon.
5. (Previously presented) The method of Claim 4 wherein the other icon is a previous icon.

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6. (Previously presented) A computer program product on a computer readable medium for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the computer program product comprising:

code means for activating a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence; and

code means for associating said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

7. Canceled.

8. Canceled.

9. (Previously presented) The computer program product of Claim 24 wherein the at least one icon is a next icon.

10. (Previously presented) The computer program product of Claim 9 wherein the other icon is a previous icon.

11. (Previously presented) An apparatus for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a

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bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the apparatus comprising:

means for activating a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence; and

means for asserting said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

12. Canceled.

13. Canceled.

14. (Previously presented) The apparatus of Claim 26 wherein the at least one icon is a next icon.

15. (Previously presented) The apparatus of Claim 14 wherein the other icon is a previous icon.

16. (Previously presented) A computer system for accessing and displaying a plurality of bookmarked web pages, the plurality of bookmarked Web pages being arranged in a bookmark folder in a sequence in which the bookmarked Web pages are to be accessed, the computer system comprising:

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at least one memory device for storing code data; and

a processor for processing said code data to activate a browser for a first time in a day, said browser, upon activation, having at least one icon be associated with the first one of said bookmarked web pages in the sequence, and to assert said at least one icon for accessing and displaying said first one of said bookmarked Web pages.

17. Canceled.

18. Canceled.

19. (Previously presented) The computer system of Claim 28 wherein the at least one icon is a next icon.

20. (Previously presented) The computer system of Claim 19 wherein the other icon is a previous icon.

21. (Previously presented) The method of Claim 1 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.

22. (Previously presented) The method of Claim 21 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.

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23. (Previously presented) The computer program product of Claim 6 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.
24. (Previously presented) The computer program product of Claim 23 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.
25. (Previously presented) The apparatus of Claim 11 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.
26. (Previously presented) The apparatus of Claim 25 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.
27. (Previously presented) The computer system of Claim 16 wherein after accessing a previous one of the bookmarked Web pages in the sequence, the at least one icon becomes associated with a succeeding one of the bookmarked Web pages in the sequence.

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28. (Previously presented) The computer system of Claim 27 wherein after accessing the previous one of the bookmarked Web pages, the previous one of the bookmarked web pages becomes associated with another icon.

29. (Previously presented) A method of bookmarking a plurality of web pages such that the plurality of the bookmarked web pages can be accessed without opening a bookmark folder in which the plurality of bookmarked web pages are stored comprising the steps of:

bookmarking the plurality of bookmarked Web pages by storing the plurality of bookmarked Web pages into the bookmark folder, the plurality of bookmarked Web pages being stored in the bookmark folder in a sequence in which the bookmarked Web pages are to be accessed;

enabling an icon in a browser to be associated with the first bookmarked Web page in the sequence;

enabling the icon upon being asserted to access and display the associated bookmarked Web page; and

allowing the icon to be asserted upon instantiation of the browser, the icon, after accessing and displaying an associated bookmarked Web page, is disassociated with the displayed bookmarked Web page and is

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associated with a next bookmarked web page in the
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(X)

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